

## REMARKS

The following rejections were asserted in the Office Action mailed July 25, 2001: claims 13 and 19-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,946,659 ("Lancelot"); claims 22-29 were rejected under 35 U.S.C. § 102(a) as being anticipated by MedicaLogic's "Logician" application and related products, as disclosed in the following references: four MedicaLogic press releases respectively dated January 27, 1997, February 17, 1997, October 27, 1997, and November 10, 1997; Lynne Dunbrack, "Practice-Management Market to Reach \$1 Billion by 1999," Health Management Technology, June 1996, 31-34 ("Dunbrack"); and Ellen Messmer, "MedicaLogic Readies Distributed Patient Information Software," Network World, June 5, 1995, 37 ("Messmer"); claims 14-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lancelot in view of U.S. Patent No. 5,146,439 ("Jachmann"); and claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lancelot in view of Jachmann and Mary K. Kerrigan, "A New Profit Center," Computers in Healthcare, Dec. 1987, 33-36 ("Kerrigan"). After noting that the same rejections had previously been asserted and successfully traversed, the Applicant canceled claims 13-29 and added new claims 30-42 in an effort to more clearly recite the subject matter of the claimed invention. See Response of November 5, 2001.

In this Preliminary Amendment, the Applicant has amended claims 30 and 36 yet again in an effort to more clearly recite the subject matter of the claimed invention. Claims 30-42 remain pending in the present application. The Applicant respectfully submits that this application is in condition for allowance.

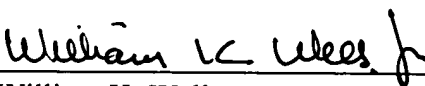
The claimed invention is directed to automating labor-intensive tasks relating to the administration of physician transcription tapes in a medical office -- tasks which account for a substantial portion of the administrative workload in a typical medical practice. By contrast, the prior art cited by the Examiner relates to computer-based systems for creating, maintaining and distributing clinical information in the form of electronic medical records, or EMRs. None of that prior art teaches or suggests automating the administration of transcription tapes as recited in the pending claims. The Applicant therefore respectfully submits that each of the pending claims

30-42 is patentably distinguishable over the prior art of record, and respectfully requests early notice to that effect.

The Applicant invites the Examiner to contact the undersigned to discuss any matter concerning this application. The Applicant hereby authorizes the Office to charge any fees or credit any overpayments arising from this communication to Kenyon & Kenyon's Deposit Account No. 11-0600.

Respectfully submitted,

Dated: February 4, 2002

  
\_\_\_\_\_  
William K. Wells, Jr. (Reg. No. 27,042)

KENYON & KENYON  
1500 K Street, N.W.  
Washington, D.C. 20005  
(202) 220-4200 (phone)  
(202) 220-4201 (fax)

## Appendix

### VERSION WITH MARKINGS TO SHOW CHANGES MADE

30. (Amended) A computer-implemented method for automating administration of physician transcriptions in a medical office, said method comprising the steps of:

maintaining an office automation system configured to automatically perform a plurality of labor-intensive tasks [for] relating to administration of physician transcription[s] tapes in order to reduce manpower requirements and overhead costs required to run a medical office, the office automation system including a database containing provider information and patient information;

inputting digital representations of the contents of a plurality of physician transcription[s] tapes to the office automation system; and

automatically generating one or more administrative reports associated with the physician transcription[s] tapes from the office automation system, said automatic generation including populating fields in the reports with provider and/or patient information from the database where appropriate, the one or more administrative reports being of a type selected from a group [consisting of] including:

departmental management reports, [data availability reports, provider]  
including reports relating to pending and/or daily patient visits;

daily revenue transaction reports, including reports relating to telephone conferences, office conferences, deposition testimony, trial testimony and/or arbitration testimony;

workload status reports, including reports relating to status of rough drafts, status of medical record reviews, and status of reports to bill;

transcription status reports, including reports relating to status of pending dictations with physician for dictation and/or signature; [medical record review status reports,] and

chart location reports[, said automatic generation including populating fields in the reports with provider and/or patient information from the database where appropriate].

36. (Amended) A computer-readable storage medium containing a set of instructions for execution by a computer, the set of instructions serving to automate administration of physician transcriptions in a medical office, said set of instructions comprising instructions for:

maintaining an office automation system configured to automatically perform a plurality of labor-intensive tasks [for] relating to administration of physician transcription[s] tapes in order to reduce manpower requirements and overhead costs required to run a medical office, the office automation system including a database containing provider information and patient information;

inputting digital representations of the contents of a plurality of physician transcription[s] tapes to the office automation system; and

automatically generating one or more administrative reports associated with the physician transcription[s] tapes from the office automation system, said automatic generation including populating fields in the reports with provider and/or patient information from the database where appropriate, the one or more administrative reports being of a type selected from a group [consisting of] including:

departmental management reports, [data availability reports, provider]  
including reports relating to pending and/or daily patient visits;

daily revenue transaction reports, including reports relating to telephone conferences, office conferences, deposition testimony, trial testimony and/or arbitration testimony;

workload status reports, including reports relating to status of rough drafts, status of medical record reviews, and status of reports to bill;

transcription status reports, including reports relating to status of pending dictations with physician for dictation and/or signature; [medical record review status reports,] and

chart location reports[, said automatic generation including populating fields in the reports with provider and/or patient information from the database where appropriate].